REMARKS

The following remarks are made in response to the Office Action mailed Dec. 14, 2005. Claims 11 and 12 have been withdrawn from consideration. Claims 1-10 and 13-23 were rejected. With this Response, claims 1, 9, 14, and 19-23 have been amended. Claims 1-23 remain pending in the application and are presented for reconsideration and allowance.

Election / Restriction

Claims 11 and 12 are withdrawn as being drawn to a nonelected species. In the event that claim 1 becomes allowable as a result of the amendments in this response or any subsequent amendments, Applicants respectfully request rejoinder of claims 11 and 12 as depending from independent claim 1.

In the Specification

The abstract is objected to because of the use of the legal phrase "a computer system comprising." Applicants have amended the abstract to recite "a computer system including" to overcome the objection. Accordingly, Applicants respectfully request withdrawal of the objection.

Claim Rejections under 35 U.S.C. § 112

Claims 19-23 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have amended claim 19 to recite "a first cell" to overcome the rejection. Accordingly, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

Claim Rejections under 35 U.S.C. § 102

Claims 1-10, 13-14, and 17-23 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,425,094 (Drogichen).

Claim 1, as amended, recites, *inter alia*:

> a system module having a first interface;
> a test module having a second interface configured to communicate with the first interface;
> a first cell having a first controller configured to communicate with the first interface and the second interface; and
> a second cell having a second controller configured to communicate with the first interface and the second interface;
> wherein the system module is configured to cause the test module to test the first cell subsequent to the second cell being allocated to a first instance of an operating system.

Drogichen teaches "a multiprocessor system ... [that] includes a center plane 102 that interconnects N nodes". Col. 3, lines 27-28. The nodes "each include a node interface board 104 which accepts ... a "Slot 0 board" 106 [and] ... a "Slot 1 board" 108." Col. 3, lines 31-34. "Slot 0 boards are preferably microprocessor boards ....", col. 3, line 34-35, and "Slot 1 boards are preferably I/O boards ....", col. 3, line 38. Drogichen also teaches a "1st system controller 110" and a "2nd system controller 110" that are "coupled to the center plane 102 by corresponding system controller support boards 112." Figure 1 and col. 3, lines 44-45.

The Office Action cites a "system controller" at col. 5, line 37 as a teaching of "a system module" recited in claim 1. Applicants respectfully note that Drogichen at col. 5, lines 37 is referring to one of the first or second system controllers 110. See col. 5, lines 33-41. The Office Action also cites the first system controller 110 of Drogichen as a teaching of the "first cell" recited in claim 1 and a second system controller 110 of Drogichen as a teaching of the "second cell" recited in claim 1. Accordingly, the Office Action appears to contend that the first and second system controllers 110 of Drogichen read on the "system module", the "first cell", and the "second cell" of claim 1.

The Office Action further cites "[a] test process executing on the caged system controller", col. 5, lines 37-38, of Drogichen as a teaching of the "test module" recited in claim 1. Applicants respectfully note that the "caged system controller" of Drogichen at col. 5, line 38 refers to one of the first or second system controllers 110. See col. 5, lines 33-41. Accordingly, the Office Action appears to contend that a "caged" one of the first or second system controllers 110 of Drogichen also read on the "test module" of claim 1.

Claim 1, as amended, recites the combination of "a system module having a first interface", "a test module having a second interface configured to communicate with the first

interface", "a first cell having a first controller configured to communicate with the first interface and the second interface", and "a second cell having a second controller configured to communicate with the first interface and the second interface". Applicants respectfully submit that Drogichen does not teach or suggest this combination of features of claim 1. In particular, Applicants respectfully submit that the first and second system controllers 110 do not include the "the first interface", "second interface", the "first controller", and the "second controller" configured as recited in claim 1.

Because Drogichen does not teach or suggest the above combination of features of claim 1, Drogichen also does not teach or suggest "wherein the system module is configured to cause the test module to test the first cell subsequent to the second cell being allocated to a first instance of an operating system" as recited in claim 1. Accordingly, Applicants respectively submit that claim 1 patentably distinguishes over Drogichen for at least these reasons.

Claims 2-10 and 13 depend from claim 1 and are believed to patentably distinguish over the cited reference for at least the above reasons. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 1-10 and 13 under 35 U.S.C. §102(b).

In addition, claim 9, as amended, recites "wherein the second interface of the test module couples to the first controller of the first cell using an I2C connection." Drogichen teaches that "[t]he system boards reside on node interface boards that connect to the center plane through 12C (sic) bus and Console Bus." Col. 6, lines 38-40. Applicants respectfully note that "system boards" at col. 6, lines 38 appears to refer to boards 106 or 108 of Figure 1 and that "node interface boards" appears to refer to node interface boards 104 of Figure 1. Drogichen does not teach or suggest the above features of claim 9. Accordingly, Applicants respectively submits that claim 9 patentably distinguishes over Drogichen for at least this additional reason.

Claim 14, as amended, recites, *inter alia*:

> detecting that a first cell that is allocated to an operating system is to be tested;
> de-allocating the first cell from the operating system;
> allocating a second cell to the operating system subsequent to de-allocating the first cell from the operating system; and

> testing the first cell with a test module that is external to the first cell.

Drogichen does not teach or suggest "allocating a second cell to the operating system subsequent to de-allocating the first cell from the operating system" as recited in claim 14. The Office Action refers to column 5, line 37 regarding Drogichen's teaching of "caged". Drogichen teaches that:

> [e]ither of the system controllers can be caged by assertion of an associated cage mode bit. The assertion of cage mode bits may be accomplished by one of the system controllers writing an individual caging message to each of the nodes. The SDI chips 202 in each of the nodes interpret the caging message and assert the cage mode bit for the designated system controller. The system controller designated in the caging message to a node interface is hereafter referred to as a caged system controller for that node interface.

Column 4, lines 42-43. Drogichen does not appear to teach any direct interaction between the system controllers 110 and an operating system with reference to the caging feature. Further, Drogichen appears to teach away from claim 14 by teaching that "[e]ach system domain is administered through the system controller which services *all* the domains", col. 8, lines 33-35 (emphasis added), and "each domain is a separate shared-memory SMP system that runs its own local copy of a multiprocessor operating system", col. 8, lines 13-15. Accordingly, Applicants respectfully submit that the "caging" feature taught by Drogichen does not read on "allocating a second cell to the operating system subsequent to de-allocating the first cell from the operating system" as recited in claim 14.

Drogichen does not teach or suggest "testing the first cell with a test module that is external to the first cell" as recited in claim 14. Drogichen teaches "[a] test process executing on the caged system controller". Col. 5, line 37. Claim 14, as amended, recites "a test module that is external to the first cell."

Applicants respectively submit that claim 14 patentably distinguishes over Drogichen for at least these reasons. Claims 17 and 18 depend from claim 14 and are believed to patentably distinguish over the cited reference for at least the above reasons. Accordingly,

Applicants respectfully request the withdrawal of the rejection of claims 14, 17, and 18 under 35 U.S.C. §102(b).

Claim 19, as amended, recites, *inter alia*:

> a first cell allocated to an operating system;
> a first means for de-allocating the first cell from the operating system;
> a second means for allocating a second cell to the operating system subsequent to de-allocating the first cell from the operating system; and
> a third means external to the first cell for testing the first cell subsequent to the first cell being de-allocated from the operating system.

For reasons corresponding to those given above for claim 14, Applicants respectfully submit that Drogichen does not teach or suggest "a second means for allocating a second cell to the operating system subsequent to de-allocating the first cell from the operating system" or "a third means external to the first cell for testing the first cell subsequent to the first cell being de-allocated from the operating system" as recited in claim 19.

Applicants respectively submit that claim 19 patentably distinguishes over Drogichen for at least these reasons. Claims 20-23 depend from claim 19 and are believed to patentably distinguish over the cited reference for at least the above reasons. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 19-23 under 35 U.S.C. §102(b).

Claim Rejections under 35 U.S.C. § 103

Claims 15 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Drogichen in view of U.S. Patent Application Publication 2004/0103394 (Manda).

Claims 15 and 16 depend from claim 14. Drogichen does not teach or suggest the features of claim 14 noted above. In addition, Manda does not teach or suggest these features of claim 14. Accordingly, Applicants respectively submit that claims 15 and 16 patentably distinguish over Drogichen in view of Manda for at least these reasons.

CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-23 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-23 is respectfully requested.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either David A. Plettner at Telephone No. (408) 447-3013, Facsimile No. (408) 447-0854 or Christopher P. Kosh at Telephone No. (512) 241-2403, Facsimile No. (512) 241-2409. In addition, all correspondence should continue to be directed to the following address:

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 9th day of March, 2006.

By
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